

302

FEDERAL COMMUNICATIONS COMMISSION
FCC MAIL SECTION
WASHINGTON, D.C. 20554

JUL 15 10 56 AM '91

IN REPLY REFER TO:

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Jotocon Comm, Inc.
1201 Robin Lane
Ducansville, Pennsylvania 16335

In re: WBEM
Winder, Pennsylvania
Authority to Remain Silent

Dear Licensee:

Commission records show that the above-referenced station has been off the air without authority.

To verify our records, you are required to submit the following information, as applicable:

1. If the station is operating, state when the station resumed operations and whether it is operating in compliance with the minimum schedule of operation set forth in Section 73.1740 of the Commission's Rules. Provide a copy of any letter which notified the Commission that the station had returned to the air.
2. If the station is off the air but a current request for authority to remain silent was filed and acted upon, submit a copy of the Commission's authorization granting the request. If a request to remain silent was filed but has not been acted upon and the request is 120 days or older, submit up-dated justification for continuing to remain off the air.
3. If the station is off the air and has not filed a current request for an extension of silence authority and resumption of operations is contemplated, submit a request for authority to remain silent which includes a detailed explanation as to why the station has not yet resumed operations, why additional time is needed for continuing to remain off the air, and the prospects and time as to when resumption

of operations is anticipated. If the station has permanently discontinued operations, the Commission must be so notified and the station's license and other instruments of authorization must be forwarded to the Commission for cancellation, pursuant to Section 73.1750 of the Commission's Rules.

The requested information is required to be submitted to the Commission, in accordance with Section 73.1015 of the Rules, within thirty days from the date of this letter. Failure to respond or to submit a showing sufficient to justify an extension of silence authority may result in the cancellation of your license. Your response should be mailed to:

Federal Communications Commission
AM Branch
Room 342
Washington, DC 20554
Attention: James R. Burtle

Sincerely,

Larry D. Eads
Chief, Audio Services Division
Mass Media Bureau

239

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

JUL 15 10 56 AM '91

IN REPLY REFER TO: ---

JUL 12 1991

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Jotocon Comm, Inc.
1201 Robin Lane
Ducansville, Pennsylvania 16335

91222

In re: WBEM
Winder, Pennsylvania
Authority to Remain Silent

Dear Licensee:

Commission records show that the above-referenced station has been off the air without authority.

To verify our records, you are required to submit the following information, as applicable:

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Federal Communications Commission
AM Branch
Room 342
Washington, DC 20554
Attention: James R. Burtle

Sincerely,



Larry D. Eads
Chief, Audio Services Division
Mass Media Bureau

October 17, 1991

RE: WBEM (AM) Windber, Pa.
BR-910828 YA

Ms Lakisha J. Young
Room 302
Federal Communications Commission

Dear Ms Young:

As per our telephone conversation (Tuesday 10/15/91), I'm responding to questions 7 & 8.

The WBEM transmitter site is located in a remote rural area. The tower is surrounded by a barbed wire topped chain link fence approximately 40' x 40' x 40' x 40' feet. The fence is posted with danger warning signs.

The documentation required is located in the Public Inspection File.

Thank you for your assistance and patience.

Sincerely
Thomas Bonner

Attached

EEO report (2)

ownership report (2)

CERTIFICATION

United States of America
Federal Communications Commission
Washington, D. C. 20554

Ownership Report

NOTE: Before filling out this form, read attached instructions

Section 310(d) of the Communications Act of 1934 requires that consent of the Commission must be obtained prior to the assignment or transfer of control of a station license or construction permit. This form may not be used to report or request an assignment of license/permit or transfer of control (except to report an assignment of license/permit or transfer of control made pursuant to prior Commission consent).

1. All of the information furnished in this Report is accurate as of

October 15, 1991
(Date must comply with Section 73.3615(a), i.e., information must be current within 60 days of the filing of this report, when 1(a) below is checked.)

This report is filed pursuant to Instruction (check one)

1(a) ☒ Annual 1(b) ☐ Transfer of Control or Assignment of License 1(c) ☐ Other

for the following stations:

Call Letters	Location	Class of service
WBEM	Windsor, PA	AM

2. Give the name of any corporation or other entity for whom a separate Report is filed due to its interest in the subject licensee (See Instruction 3):

NONE

3. Show the attributable interests in any other broadcast station of the respondent. Also, show any interest of the respondent, whether or not attributable, which is 5% or more of the ownership of any other broadcast station or any newspaper or CATV entity in the same market or with overlapping signals in the same broadcast service, as described in Sections 73.3555 and 76.501 of the Commission's Rules.

NONE

I certify that I am President
(Official title, see Instruction 1)

of JOTCON COMM, INC.
(Exact legal title or name of respondent)

that I have examined this Report, that to the best of my knowledge and belief, all statements in the Report are true, correct and complete

(Date of certification must be within 60 days of the date shown in Item 1 and in no event prior to Item 1 date):

[Signature] 1991
(Signature) (Date)

Telephone No. of respondent (include area code):

814 545 0160

Any person who willfully makes false statements on this report can be punished by fine or imprisonment. U.S. Code, Title 18, Section 1001.

Name and Post Office Address of respondent:

WBEM Radio
JOTCON COMM, INC.
1201 Robin Lane
Downersville PA 16035

4. Name of entity, if other than licensee or permittee, for which report is filed (see Instruction 3):

5. Respondent is:

- ☐ Sole Proprietorship
☒ For-profit corporation
☐ Not-for-profit corporation
☐ General Partnership
☐ Limited Partnership
☐ Other:

If a limited partnership, is certification statement included as in Instruction 4?

☐ Yes ☐ No

6 List all contracts and other instructions required to be filed by Section 1.613 of the Commission's Rules and Regulations. (Only licensees, permittees, or a reporting entity with a majority interest in or that otherwise exercises de facto control over the subject licensee or permittee shall respond.)

Description of contract or instrument	Name of person or organization with whom contract is made	Date of Execution	Date of Expiration
Articles of Incorporation	JOTACON COMM INC (A closed PA Corporation)	May 14 1967	Perpetual

7 Capitalization (Only licensees, permittees, or a reporting entity with a majority interest in or that otherwise exercises de facto control over the subject licensee or permittee, shall respond.)

Class of Stock (preferred, common or other)	Voting or Non-voting	Number of Shares			Unissued
		Authorized	Issued and Outstanding	Treasury	
Common	100% PA	100,000	50,000		50,000

Remarks concerning family relationships, attribution exemptions and certifications: (See Instructions 4, 5 and 6)

8. List officers, directors, cognizable stockholders and partners. Use one column for each individual or entity. Attach additional pages, if necessary. See Instructions 4, 5, and 6

Line (Read carefully - The numbered items below refer to line numbers in the following table.)

1. Name and residence of officer, director, cognizable stockholder or partner (if other than individual also show name, address and citizenship of natural person authorized to vote the stock). List officers first, then directors and, thereafter, remaining stockholders and partners.
2. Citizenship.
3. Office or directorship held.
4. Number of shares or nature of partnership interest
5. Number of votes.
6. Percentage of votes.
7. Other existing attributable interests in any other broadcast station, including nature and size of such interest.
8. All other ownership interests of 5% or more (whether or not attributable), as well as any corporate officership or directorship, in broadcast, cable, or newspaper entities in the same market or with overlapping signals in the same broadcast service, as described in Sections 73.3555 and 76.501 of the Commission's Rules, including the nature and size of such interests and the position held.

1	(a)	(b)	(c)
	J THOMAS CORNELL 100 Rockwell Lane Quakertown PA 16835		
2	U.S.		
3	President Sec Treas		
4	All 100%		
5	All 100%		
6	100%		
7	J Thomas Cornell President of JOHNSON CORP 100% owner of Browns Highway Communications	not included in report as not a broadcast station	
8			

**FCC NOTICE TO INDIVIDUALS REQUIRED BY THE PRIVACY ACT
AND THE PAPERWORK REDUCTION ACT**

The solicitation of personal information requested in this Report is authorized by the Communications Act of 1934, as amended. The principal purpose for which the information will be used is to assess compliance with the Commission's multiple ownership restrictions. The staff, consisting variously of attorneys and examiners, will use the information to determine such compliance. If all the information requested is not provided, processing may be delayed while a request is made to provide the missing information. Accordingly, every effort should be made to provide all necessary information. Your response is required to retain your authorization.

BROADCAST EQUAL EMPLOYMENT OPPORTUNITY PROGRAM REPORT

(To be filed with broadcast license renewal application)

(For FCC Use Only)

Call Letters WBEM AM

Code No.

Name of Licensee JOTCON COMM INC

City and State which station
is licensed to serve WINDSOR PA

TYPE OF BROADCAST STATION (Check one)

Commercial Broadcast Station

☒ AM

☐ TV

☐ FM

☐ Low Power TV

☐ Combined AM & FM
in same area

☐ International

Noncommercial Broadcast Station

☐ Educational Radio

☐ Educational TV

SEND NOTICES AND COMMUNICATIONS TO THE FOLLOWING NAMED PERSON AT THE ADDRESS INDICATED BELOW:

Name <u>J Thomas Connor</u>	Street Address <u>1301 Robin Lane</u>		
City <u>Duncansville</u>	State <u>PA</u>	ZIP Code <u>16835</u>	Telephone No. <u>(814) 695 6166</u>

FILING INSTRUCTIONS

Broadcast station licensees are required to afford equal opportunity to all qualified persons and to refrain from discriminating in employment and related benefits on the basis of race, color, national origin, and sex. See Section 73.2080 of the Commission's Rules. Pursuant to these requirements, a license renewal applicant who employs five or more full-time station employees must file report of its activities to ensure equal employment opportunity for women and minority groups (that is, Blacks not of Hispanic origin, Asians or Pacific Islanders, American Indians or Alaskan Natives, and Hispanics). If minority group representation in the available labor force is less than five percent (in the aggregate), equal employment opportunity (EEO) program information for minority group members need not be filed. However, EEO program information must be filed for women since they comprise a significant percentage of virtually all area labor forces. If an applicant employs fewer than five full-time employees, no equal employment opportunity activity information need be filed.

A copy of this report must be kept in the station's public file. These actions are required to obtain license renewal. Failure to meet these requirements may result in license renewal being delayed or denied. These requirements are contained in Section 73.2080 of the FCC Rules (47 CFR 73.2080), and are authorized by the Communications Act of 1934, as amended.

☒ If your station employs fewer than five full-time employees, check the box at left, complete the certification below, return the form to the FCC, and place a copy in your station's public file. You do not have to complete the rest of the form.

If your station employs five or more full-time employees, you must complete all of this form and follow all instructions.

☐ If minority group representation in the available labor force is less than 5 percent (in the aggregate) and you choose not to file EEO program information for minority groups, check the box at left and complete the rest of this form with only the information for your program directed towards women.

CERTIFICATION

This report must be certified, as follows:

- A. By licensee, if an individual;
- B. By a partner, if a partnership (general partner, if a limited partnership);
- C. By an officer, if a corporation or an association; or
- D. By an attorney of the licensee, in case of physical disability or absence from the United States of the licensee.

WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001), AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. CODE, TITLE 47, SECTION 312(a)(11), AND/OR FORFEITURE (U.S. CODE, TITLE 47, SECTION 503).

I certify to the best of my knowledge, information and belief, all statements contained in this report are true and correct.

Signed	<i>J Thomas Bowers</i>
Title	<i>President</i>
Date	<i>3-22-79</i>
Name of Respondent	<i>J Thomas Bowers</i>
Telephone No. (include area code)	<i>814 695-6166</i>

FCC NOTICE TO INDIVIDUALS REQUIRED BY THE PRIVACY ACT AND THE PAPERWORK REDUCTION ACT

The solicitation of personal information requested in this application is authorized by the Communications Act of 1934, as amended. The principal purpose for which the information will be used is to determine if the license renewal requested is consistent with the public interest. The staff, consisting variously of attorneys, accountants, engineers, and applications examiners, will use the information to determine whether the license renewal application should be granted, denied, dismissed or designated for hearing. If all the information requested is not provided, the application may be returned without action having been taken upon it or its processing may be delayed while a request is made to provide the missing information. Accordingly, every effort should be made to provide all necessary information. Your response is required to obtain the requested authority.

Public reporting burden for this collection of information is estimated to average 3 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to Federal Communications Commission, Office of Managing Director, Washington, DC 20554, and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Paperwork Reduction Project (3060-0113), Washington, DC 20503.

THE FOREGOING NOTICE IS REQUIRED BY THE PRIVACY ACT OF 1974, P.L. 93-579, DECEMBER 31, 1974, 5 U.S.C. 552a(e)(3) AND THE PAPERWORK REDUCTION ACT OF 1980, P.L. 96-511, DECEMBER 11, 1980, 44 U.S.C. 3507.

United States of America
Federal Communications Commission
Washington, D. C. 20554

Ownership Report

NOTE: Before filling out this form, read attached instructions

Section 310(d) of the Communications Act of 1934 requires that consent of the Commission must be obtained prior to the assignment or transfer of control of a station license or construction permit. This form may not be used to report or request an assignment of license/permit or transfer of control (except to report an assignment of license/permit or transfer of control made pursuant to prior Commission consent).

1. All of the information furnished in this Report is accurate as of

October 15, 19 91

(Date must comply with Section 73.3615(a), i.e., information must be current within 60 days of the filing of this report, when 1(a) below is checked.)

This report is filed pursuant to Instruction (check one)

1(a) ☒ Annual 1(b) ☐ Transfer of Control or Assignment of License 1(c) ☐ Other

for the following stations:

Call Letters	Location	Class of service
WBEM	Windber, PA	AM

2. Give the name of any corporation or other entity for whom a separate Report is filed due to its interest in the subject licensee (See Instruction 3):

None

3. Show the attributable interests in any other broadcast station of the respondent. Also, show any interest of the respondent, whether or not attributable, which is 5% or more of the ownership of any other broadcast station or any newspaper or CATV entity in the same market or with overlapping signals in the same broadcast service, as described in Sections 73.3555 and 76.501 of the Commission's Rules.

None

CERTIFICATION

I certify that I am President
(Official title, see Instruction 1)
of JOTOCON COMM, INC.
(Exact legal title or name of respondent)

that I have examined this Report, that to the best of my knowledge and belief, all statements in the Report are true, correct and complete.

(Date of certification must be within 60 days of the date shown in Item 1 and in no event prior to Item 1 date):

Thomas Spurners October 17, 19 91
(Signature) (Date)

Telephone No. of respondent (include area code):

814-695-6166

Any person who willfully makes false statements on this report can be punished by fine or imprisonment. U.S. Code, Title 18, Section 1001.

Name and Post Office Address of respondent:

WBEM Radio
JOTOCON COMM, INC.
1201 Robin Lane
Duncansville, PA 16835

4. Name of entity, if other than licensee or permittee, for which report is filed (see Instruction 3):

5. Respondent is:

- ☐ Sole Proprietorship
☒ For-profit corporation
☐ Not-for-profit corporation
☐ General Partnership
☐ Limited Partnership
☐ Other: _____

If a limited partnership, is certification statement included as in Instruction 4?

☐ Yes ☐ No

6. List all contracts and other instructions required to be filed by Section 3.3813 of the Commission's Rules and Regulations. (Any licensee, permittee, or a reporting entity with a majority interest in or that otherwise exercises de facto control over the subject licensee or permittee shall respond.)

Description of contract or instrument	Name of person or organization with whom contract is made	Date of Execution	Date of Expiration
Articles of Incorporation	JOTCON COMM, INC. (A closed PA corporation)	May 14, 1967	Perpetual

7. Capitalization (Only licensees, permittees, or a reporting entity with a majority interest in or that otherwise exercises de facto control over the subject licensee or permittee, shall respond.)

Class of Stock (preferred, common or other)	Voting or Non-voting	Number of Shares			
		Authorized	Issued and Outstanding	Treasury	Unissued
COMMON	VOTING	100,000	50,000		50,000

Remarks concerning family relationships, attribution exemptions and certifications: (See Instructions 4, 5 and 6)

8. List officers, directors, cognizable stockholders and partners. Use one column for each individual or entity. Attach additional pages, if necessary. See Instructions 4, 5, and 3.

Line (Read carefully - The numbered items below refer to line numbers in the following table.)

1. Name and residence of officer, director, cognizable stockholder or partner (if other than individual also show name, address and citizenship of natural person authorized to vote the stock). List officers first, then directors and, thereafter, remaining stockholders and partners.
2. Citizenship.
3. Office or directorship held.
4. Number of shares or nature of partnership interest.
5. Number of votes.
6. Percentage of votes.
7. Other existing attributable interests in any other broadcast station, including nature and size of such interest.
8. All other ownership interests of 5% or more (whether or not attributable), as well as any corporate officership or directorship, in broadcast, cable, or newspaper entities in the same market or with overlapping signals in the same broadcast service, as described in Sections 73.3595 and 76.501 of the Commission's Rules, including the nature and size of such interests and the position held.

1	(a) J Thomas Connors 1201 Robin Lane Duncansville, PA 16635	(b)	(c)
2	U.S.		
3	President, Sec. Treas.		
4	All 100%		
5	All 100%		
6	100%		
7	J Thomas Connors, President of JOTOCON COMM INC. is a 10% owner of Penn Highland COMMUNICATIONS that has filed	for transfer of license of WPTJ-TV 19 Johnstown, Pa.	
8			

**FCC NOTICE TO INDIVIDUALS REQUIRED BY THE PRIVACY ACT
AND THE PAPERWORK REDUCTION ACT**

The solicitation of personal information requested in this Report is authorized by the Communications Act of 1934, as amended. The principal purpose for which the information will be used is to assess compliance with the Commission's multiple ownership restrictions. The staff, consisting variously of attorneys and examiners, will use the information to determine such compliance. If all the information requested is not provided, processing may be delayed while a request is made to provide the missing information. Accordingly, every effort should be made to provide all necessary information. Your response is required to retain your authorization.

INSTRUCTIONS

Ownership Report, FCC Form 323

Public reporting burden for this collection of information is estimated to average 7 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to Federal Communications Commission, Office of Managing Director, Washington, DC 20554, and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Paperwork Reduction Project (3060-0010), Washington, DC 20503.

1. This report is to be filed by AM, FM, International or Television broadcast stations as indicated below (*see 47 C.F.R. Section 73.3615*). If there has been no change since the last filing of this form, a letter may be filed in lieu of a new report, stating that the previously filed report has been examined and is currently accurate.
 - (a) By licensee once a year on the anniversary of the station's renewal application filing date. Where the licensee, however, is a partnership that is composed entirely of natural persons, the annual reporting requirement does not apply. Similarly, sole proprietorships (*i.e., where the station is licensed to an individual(s)*) are not required to file annually.
 - (b) By permittee or licensee within 30 days after the grant of an original construction permit or the consummation, pursuant to Commission consent, of a transfer of control or an assignment. A permittee is also required to update its initial report or to certify the continuing accuracy and completeness of that report when the permittee applies for a station license.
 - (c) File one copy with the Federal Communications Commission, in accordance with 47 C.F.R. Section 0.401. If information submitted is equally applicable to each listed station, one annual report may be filed for all such stations; otherwise, a separate report shall be filed for each station on the appropriate filing date.
 - (d) The person certifying the accuracy of the information in this report must be the individual licensee or permittee, a general partner in the licensee or permittee partnership, or an appropriate officer in the licensee or permittee corporation or association. If this report is filed for a respondent and not for a licensee or permittee, the person certifying the accuracy of the information must be a general partner in the respondent partnership or an appropriate officer in the respondent corporation or association.
2. Any contract or modification of contract relating to the ownership, control, or management of the licensee or permittee or to its stock must be filed with the Commission, as required by 47 C.F.R. Section 73.3613. Attention is directed to the fact that Section 73.3613 requires the filing of *all* contracts of the types specified and is not limited to executed contracts but includes options, pledges, and other executory agreements and contracts relating to ownership, control, or management.
3. If the licensee or permittee is directly or indirectly controlled by another entity or if another entity has an attributable interest in such licensee or permittee, a separate Form 323 should be submitted for such entity. For successive entities, interests are multiplied. See Instruction 6.
4. Limited partners in a limited partnership need not be reported **IF** the limited partners are not materially involved, directly or indirectly, in the management or operation of the media-related activities of the partnership **AND** the licensee, permittee or respondent so certifies. A statement assuring this non-involvement must be attached to this report. Sufficient insulation of a limited partner for purposes of this certification would be assured if the limited partnership agreement: (a) specifies that any exempt limited partner (*if not a natural person, its directors, officers, partners, etc.*) cannot act as an employee of the limited partnership if his or her functions, directly or indirectly relate to the media enterprises of the company; (b) bars any exempt limited partner from serving, in any material capacity, as an independent contractor or agent with respect to the partnership's media enterprises; (c) restricts any exempt limited partner from communicating with the licensee or the general partner on matters pertaining to the day-to-day operations of its business; (d) empowers the general partner to veto any admissions of additional general partners admitted by vote of the exempt limited partners; (e) prohibits any exempt limited partner from voting on the removal of a general partner or limits this right to situations where the general partner is subject to bankruptcy proceedings, as described in Sections 402 (4)-(5) of the Revised Uniform Limited Partnership Act or is adjudicated incompetent by a court of competent jurisdiction; (f) bars any exempt limited partner from performing any services to the limited partnership materially relating to its media activities, with the exception of making loans to, or acting as a surety for, the business; and (g) states, in express terms, that any exempt limited partner is prohibited from becoming actively involved in the management or operation of the media businesses of the partnership. Notwithstanding conformance of the partnership agreement to this criteria, however, the requisite certification cannot be made if the licensee, permittee or respondent has actual knowledge of a material involvement of the limited partner in the management or operation of the media-related business of the partnership. In the event that the licensee, permittee or respondent cannot certify as to the noninvolvement of the limited partners, the limited partners will be considered to be holders of attributable interests regarding whom full information is required.

5. Under "Remarks," Paragraph 7, Page 2, give full information as to any family relationship (*parent-child, husband-wife, brothers, sisters*), between one or more officers, directors, stockholders, or partners of the licensee or permittee and any other officer, director, stockholder, or partner. In situations in which a marital relationship is involved, the interests held by one spouse are presumptively attributed to the other and both spouses may, unless this presumption is rebutted by an appropriate showing, be considered to be holders of attributable interests regarding whom full information is required. In addition, a permittee or licensee seeking attribution exemption for eligible officers or directors should identify that individual by name and title, fully describe that person's duties and responsibilities, and explain why that individual should not be attributed an interest.

6. The following interests are attributable *and the holder of the interest is cognizable* and should be reported in response to Question 8:

If a corporation, all officers and directors and each owner of stock accounting for 5% or more of the outstanding votes in the corporation. (Investment companies, insurance companies or trust departments of banks need be listed only if the aggregated holding accounts for 10% or more of the outstanding votes, provided the licensee certifies that such entities exercise no influence over the corporation, directly or indirectly, and have no representatives among the officers and directors of the corporation).

If a single entity holds more than 50% of the voting stock, and a simple majority is all that is required to control corporate affairs, no other stockholder need be reported.

If any stockholder agreement exists pertaining to cooperative voting accounting for 5% or more of the votes (*listed in response to Question 7*), list the block of stock as if held by a single entity, and also list (*immediately following*) any stockholder holding 5% or more of the stock in that block.

If a partnership, list all partners. (If a limited partnership and Question 5 is answered "Yes," list only general partners and only those limited partners that hold interests considered attributable under Instruction 4, explaining that involvement.)

If the entity for which this report is filed is not the subject licensee, but a minority, non-controlling stockholder or a partner in the licensee, list only those stockholders whose interest, when multiplied by the reporting entity's interest, would account for 5% or more of the votes of the subject licensee; list all partners. Any entity holding over 50% of its subsidiary will be considered as a 100% owner for reporting purposes. E.g., if this report is filed for corporation X which owns stock accounting for 25% of the subject licensee votes, then only those stockholders of X which hold stock

accounting for 20% or more need be listed (.25 X .20 = .05). Also, such an entity need report the directors "executive" officers (*president, vice-president, secretary, treasurer or their equivalents*) and any other officers with a relationship or responsibility to the licensee including a responsibility in determining how the entity's stock in the licensee is voted. Also, for such an entity, Questions 6 and 7 need not be answered. See Instruction 5 above with respect to the attribution exemption showing necessary for officers and directors with duties unrelated to the licensee.

If the stock is held in trust, if the trustee has the sole power to vote the stock and sole or shared power to dispose of the assets of the trust, and if the trustee is an independent person with no familial or business relationship with the beneficiary or grantor, then only the trustee shall be reported as "owner" of the stock. If the grantor or beneficiary shares the power to vote, has the sole power to dispose of the stock, or has the power to replace the trustee at will, that party shall also be listed as an "owner" of the stock.

7. THIS FORM IS NOT TO BE USED TO REPORT OR REQUEST A TRANSFER OF CONTROL OR ASSIGNMENT OF LICENSE OR CONSTRUCTION PERMIT *(except to report a transfer of control or assignment of license made pursuant to prior Commission consent)*. The appropriate forms for use in connection with such transfers or assignments are FCC Forms 314, 315 and 316. It is the responsibility of the licensee or permittee to determine whether a given transaction constitutes a transfer of control or an assignment. However, for purposes of example only, and for the convenience of interested persons, there are listed below some of the more common types of transfers.

A transfer of control takes place when:

- (a) An individual stockholder gains or loses affirmative or negative (50%) control. (Affirmative control consists of control of more than 50% of voting stock; negative control consists of control of exactly 50% of voting stock.)
- (b) Any family group or any individual in a family group gains or loses affirmative or negative (50%) control. (*See also Instruction 6.1*)
- (c) Any group in privity gains or loses affirmative or negative (50%) control.

The following are examples of transfers of control or assignments of licenses requiring *prior* Commission consent:

- (a) A, who owns 51% of the licensee's or permittee's stock, sells 1% or more thereof. A transfer has been effected.
- (b) X corporation, wholly owned by Y family, retires outstanding stock which results in family member A's

individual holdings being increased to 50% or more. A transfer has been effected.

- (c) A and B, husband and wife, each owns 50% of the licensee's or permittee's stock. A sells any of his stock to B. A transfer has been effected.
- (d) A is the partner in the licensee. A sells any part of his interest to newcomer B or existing partner C. An assignment has been effected.
- (e) X partnership incorporates. An assignment has been effected.
- (f) Minority stockholders form a voting trust to vote their 50% or more combined stockholdings. A transfer has been effected.

- (g) A, B, C, D and E each own 20% of the stock of X corporation. A, B and C sell their stock to F, G and H at different times. A transfer is effected at such time as 50% or more of the stock passes out of the hands of the stockholders who held stock at the time the original authorization for the licensee or permittee corporation was issued.

8. For further information regarding the above, see *Report and Order in MM Docket No. 83-46*, 49 Fed. Reg. 19482 (May 8, 1984), 97 FCC 2d 997, *reconsideration granted in part*, 50 Fed. Reg. 27438 (July 3, 1984), 58 RR 2d 604, *further modified on reconsideration*, 52 Fed. Reg. (January 15, 1987), 61 RR 2d 739 (1986). See also 47 C.F.R. Sections 73.3540 and 73.3541.

WBEM

1350 AM

JOTOCOMM COMM., INC.

Greater Johnstown...You're On The Beam!

A COMMUNITY SPIRITED STATION!

OCT 25 4 31 PM '89

October 24, 1989

OCT 26 1989

AM BRANCH

A m Radio Section
Mass Media Bureau
FCC
1919 K Street N.W.
Washington, D.C. 20554

NOTICE

Please be advised that Radio Station WBEM AM 1350 licensed to the community of Windber, Pa., and ~~owned~~/operated by JOTOCOMM COMM., INC., has temporarily ceased operation.

J. Thomas Conners, President of JOTOCOMM COMM., INC. is currently arranging new financing to put WBEM Radio back on the air as quickly as possible.

All inquiries in this matter should be directed to:

J. Thomas Conners,
President
JOTOCOMM COMM., INC.
1201 Robin Lane
Duncansville, Pa. 16835
Telephone 814-695-6166

Sincerely,

J. Thomas Conners

RECEIVED BY

OCT 26 1989

FCC MAIL BRANCH

MM 96-105

New WBEM
old WWBR

United States of America
Federal Communications Commission

CERTIFICATE OF RENEWAL OF LICENSE

Service AM
Station Location/Principal Community WINDBER, PENNSYLVANIA
Call Sign W W B R
Licensee WWBR, INC.

This Certificate is VALID ONLY when posted with
Main Transmitter and Antenna license dated DECEMBER 14, 1979

This Certificate includes renewal of license for
☐ Subsidiary Communications Authorization
dated:
☐ Alternate Main and/or Auxiliary
Transmitter(s) License dated:
☐ Auxiliary Antenna License
dated:

This Certificate serves as a renewal of the reference
broadcast station license and any other associated
authorization indicated above, on the same conditions
and in accordance with the same provisions for the
term ending AUGUST 1, 1984 3 a.m. Local Time.

This license shall not vest in the licensee any right to operate the station nor any right in the use of the frequency
designated in the license beyond the term hereof, nor in any other manner than authorized herein. Neither the license nor the
right granted hereunder shall be assigned or otherwise transferred in violation of the Communications Act of 1934. This
license is subject to the right of use or control by the Government of the United States conferred by Section 605 of the
Communications Act of 1934.

Dated: JULY 7, 1981
cjb

FEDERAL
COMMUNICATIONS
COMMISSION



BRYAN, CAVE, McPHEETERS & McROBERTS

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

29 QUEEN ANNE'S GATE
LONDON SW1H 9BU
44-1-222-0511
TELEX: 264001 BCMM G

POST OFFICE BOX 20883
RIYADH 11465 SAUDI ARABIA
966-1-465-1371
TELEX: 928-403093 INTLAW SJ

POST OFFICE BOX 6750
DEIRA, DUBAI, U.A.E.
971-4-263194
TELEX: 958-47216 USLAW EM

JOHN R. WILNER

1015 FIFTEENTH STREET, N.W.
WASHINGTON, D.C. 20005-2689

(202) 289-6100

TELEX: 440321 BCMM UI

TELECOPIER: (202) 789-5454

APR 07 1989

AM BRANCH

April 5, 1989

500 NORTH BROADWAY
ST. LOUIS, MISSOURI 63102-2186
(314) 231-8600
TELEX: 7314350 BCMM STL

333 SOUTH GRAND AVENUE
LOS ANGELES, CALIFORNIA 90071-3171
(213) 622-8000
TELEX: 4720314 BCMM LSA

350 PARK AVENUE
NEW YORK, NEW YORK 10022-6022
(212) 886-1199
TELEX: 425757 BCMM NYK

GREAT AMERICAN TOWER
3200 NORTH CENTRAL AVENUE
PHOENIX, ARIZONA 85012-2415
(602) 230-7000

RECEIVED

APR - 5 1989

Federal Communications Commission
Office of the Secretary

Donna R. Searcy
Secretary
Federal Communications Commission
Washington, D.C. 20554

Re: Station WBEM
Windber, PA
File No. BAL-890131EG

Dear Ms. Searcy:

On behalf of JOTOCON COMM, Inc., this will provide notice that the above-referenced assignment of license of Station WBEM, Windber, Pennsylvania, was consummated on March 31, 1989.

Should there be any questions concerning this letter, please communicate with the undersigned.

Very truly yours,

John R. Wilner

John R. Wilner

JRW/jew

FEDERAL COMMUNICATIONS COMMISSION

WASHINGTON D C 20554

MAR 24 1989

IN REPLY REFER TO
8910

JOTOCON COMM, INC.
1201 ROBIN LANE
DUNCANSVILLE, PA 16835

Call Letters: WBEM
Date Granted: MARCH 21, 1989
File Number(s) BAL-890131EG

NOTICE TO ASSIGNEE

Enclosed is FCC Form 732 notifying you of Commission consent to the assignment of the construction permit and/or license of the station(s) therein described. Voluntary assignments are required to be completed within sixty (60) days of the date granted.

In addition to the filing of the below mentioned FCC Form 323, you are required to immediately notify this office (8910), by letter, as to the exact date of the consummation; that is, the date on which the acts necessary to effect the assignment were completed.

Within thirty (30) days after the consummation of the assignment it will be necessary for you to submit an Ownership Report (FCC Form 323) reporting all changes as required by Section 73.3615 of the Rules. Where applicable, a separate Ownership Report should also be completed and submitted for any holding company (25% or greater ownership interest) of the licensee/permittee. Contractual information required by Section 73.3613 should be reported for the assignee in Item 6, page one of the Ownership Report and copies of each instrument should be submitted with the report. If this is an involuntary assignment that was the result of a death or court action, an Ownership Report must be filed to determine that all requirements of the Rules have been met and reported.

In the event the assignee is the licensee/permittee of another station and has a current Ownership Report on file, you may complete and file only page one of FCC Form 323 to reflect the acquisition of the station(s) listed above. FCC Form 323 is enclosed for your convenience in filing.

It is of the utmost importance that all Commission correspondence comes to the immediate attention of the permittee or licensee. Only one mailing address can be maintained for each station. Unless we hear from you to the contrary, the above address will be used as your permanent mailing address.

If the assignor has any applications pending before the Commission, these applications must be amended to reflect the name of the assignee. Upon consummation of the assignment, amendments to each application must be filed by the assignee, in triplicate, signed by the proper party (see Section 73.3513 of the Rules). Further processing of these applications will be withheld pending receipt of the amendment.

Enclosures
cc: Ownership

UNITED STATES OF AMERICA
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

FILE 96-103
File No.(s): BAL-890131EG

Class of station(s): AM

<input checked="" type="checkbox"/> CONSENT TO ASSIGNMENT: <input type="checkbox"/> CONSENT TO TRANSFER CONTROL: <input type="checkbox"/> CONSENT TO TRANSFER STOCK: Whereby of Control by is effected.	FROM GREATER JOHNSTOWN RADIO, INC.
	TO JOTOCON COMM, INC.
Licensee/Permittee: (for transfer only)	

CALL SIGN(s)

WBEM

STATION LOCATION(s)

WINDBER, PA

AUXILIARY STATION(s) (for assignments only)

ALL CURRENTLY AUTHORIZED AUXILIARY
SERVICES.

Under authority of the Communications Act of 1934, as amended, the consent of the Federal Communications Commission is hereby granted to the transaction indicated above.

The Commission's consent to the above is based on the representations made by the applicants that the statements contained in, or made in connection with, the application are true and that the undertakings of the parties upon which this transaction is authorized will be carried out in good faith.

The actual consummation of voluntary transactions shall be completed within 60 days from the date hereof, and notice in letter form thereof shall promptly be furnished the Commission by the buyer showing the date the acts necessary to effect the transaction were completed. Upon furnishing the Commission with such written notice, this transaction will be considered completed for all purposes related to the above described station(s).

FCC Form 323 (Ownership Report), must be filed within 30 days after consummation, by the licensee/permittee or assignee.

ADDITIONAL REQUIREMENTS FOR ASSIGNMENTS ONLY:

Upon consummation the assignor must deliver the permit/license, including any modifications thereof to the assignee.

It is hereby directed that, upon consummation, a copy of this consent be posted with the station authorization(s) as required by the Commission's Rules and Regulations.

The assignee is not authorized to construct nor operate said station(s) unless and until notification of consummation in letter form has been forwarded to the Commission.

Dated: MARCH 21, 1989

tme

FEDERAL
COMMUNICATIONS
COMMISSION



FCC 732
March 1983

MM 96-108 ✓

61

BRYAN, CAVE, McPHEETERS & McROBERTS

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

29 QUEEN ANNE'S GATE
LONDON SW1H 9BU
44-1-222-0511
TELEX: 264001 BCMM G

POST OFFICE BOX 20883
RIYADH 11465 SAUDI ARABIA
966-1-465-1371
TELEX: 928-403093 INTLAW SJ

POST OFFICE BOX 6750
DEIRA, DUBAI, U.A.E.
971-4-283194
TELEX: 958-47216 USLAW EM

JOHN R. WILNER

1015 FIFTEENTH STREET, N.W.
WASHINGTON, D.C. 20005-2689

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TELEX: 440321 BCMM UI

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TELEX: 425757 BCMM NYK

GREAT AMERICAN TOWER
3200 NORTH CENTRAL AVENUE
PHOENIX, ARIZONA 85012-2415
(602) 230-7000

March 2, 1989

Donna R. Searcy
Secretary
Federal Communications Commission
Washington, D.C. 20554

Re: Station WBEM
Windber, PA
File No. BAL-890131EG

MAR 3 - 1989

RECEIVED

MAR 02 1989

Federal Communications Commission
Office of the Secretary

Dear Ms. Searcy:

Transmitted herewith is an Amendment, in triplicate, to the above-referenced application for assignment of license of Station WBEM, Windber, Pennsylvania.

Should there be any questions concerning this letter, please communicate with the undersigned.

Very truly yours,

John R. Wilner

John R. Wilner

JRW/jew
Enclosures

cc: Ms. Glenda Thomas (FCC Rm 342)
(w/enc.)

MM-10-10-10
BAL-890131EG

RECEIVED

MAR 2 - 1989

Federal Communications Commission
Office of the Secretary

MAR 3 - 1989

AMENDMENT

Attached hereto is the Note referred to in Section 3, (3) (8) of the agreement between GREATER JOHNSTOWN RADIO, INC. AND JOTOCON COMM, INC. The Seller has retained no right of reversion of the license or any right to reassignment of the license in the future.

Sam R. Wolf PRESIDENT,
GREATER JOHNSTOWN RADIO, INC.

March 1, 1989

Thomas Brumby PRESIDENT,
JOTOCON COMM, INC.

March 1, 1989

NUL 96-108

N O T E

\$27,500.00

Johnstown, Pennsylvania

JOTOCON COMM, INC., hereby promises to pay to the order of GREATER JOHNSTOWN RADIO, INC., the sum of TWENTY SEVEN THOUSAND FIVE HUNDRED DOLLARS (\$27,500), with interest at the rate of ten (10) percent per annum, accruing to the benefit of Seller and payable in full twelve (12) months after FCC license transfer approval.

AND FURTHER, the Undersigned does hereby authorize and empower any attorney of any Court of Record of Pennsylvania or elsewhere to appear for and to enter judgment against him, in favor of any holder of this note for the above sum with costs of suit, release of errors, without stay of execution and with fifteen (15) percent added as a reasonable attorney's fee, and the Undersigned hereby waives and releases all benefit and relief from any and all appraisement, stay or exemption laws of any state now in force or hereafter to be passed.

The interest rate within specified shall never exceed the maximum rate allowed from time to time, and it shall continue until payment is made in full, and it is further understood that in no event shall the interest rate decrease to the Pennsylvania Legal Interest Rate. Said interest rate shall continue regardless of entry of judgment, acceleration of payments due hereunder, of this Note or other related documents, or the occurrence of some other similar event.

JOTOCON COMM, INC.

ATTEST:

by _____
President_____
Secretary

BRYAN, CAVE, McPHEETERS & McROBERTS

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

1015 FIFTEENTH STREET, N.W.
WASHINGTON, D.C. 20005-2689

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POST OFFICE BOX 6750
DEIRA, DUBAI, U.A.E.
971-4-283194
TELEX: 958-47216 USLAW EM

JOHN R. WILNER

January 31, 1989

FEB 18 1989

Donna R. Searcy
Secretary
Federal Communications Commission
Washington, D.C. 20554

RECEIVED
890131

Re: Station WBEM(AM)
Windber, Pennsylvania

FCC
FEE SECTION

Dear Ms. Searcy:

Transmitted herewith is an application, in triplicate, on FCC Form 314 for consent to the assignment of license of Station WBEM(AM), Windber, Pennsylvania, from Greater Johnstown Radio, Inc. to JOTCON COMM, INC.

The check of J. Thomas Connors in the amount of \$500 in payment of the requisite filing fee is attached.

Any questions concerning the Assignee's section of the application should be directed to the undersigned.

Very truly yours,

John R. Wilner
John R. Wilner

JRW/jew
Enclosures